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United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

TAKE PRIDE IN AMERICA

DEC 29 1992

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Mr. Randall F. Smith, Director
Hazardous Waste Division
Environmental Protection Agency, Region 10
1200 Sixth Avenue
Seattle, Washington 98101

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HAZARDOUS WASTE DIVISION

Dear Mr. Smith:

Pursuant to IAG No. DW 14-933167-08, we have conducted a Preliminary Natural Resources Survey (PNRS), for the General Electric Company Site, to determine whether the Secretary of the Interior's trust responsibilities are involved. Details regarding site history, site description, and the Department's trust resources are attached for your information (Attachment A).

In conducting the PNRS several documents including the Remedial Investigation (RI) were reviewed. A bibliography of those documents is attached, for your information (Attachment B).

On-site groundwater contains concentrations of polychlorinated biphenyl compounds (PCBs) that exceed acute and chronic surface water quality criteria protective of freshwater organisms. No PCBs were detected in off-site groundwater, however, the detection limit exceeded the chronic surface water criterion for freshwater organisms (0.014 ppb). Polychlorinated biphenyl compounds are carcinogenic, teratogenic, can cause reproductive failure, tissue damage, and tumors, and demonstrate high potential for bioaccumulation in invertebrates, fish, and birds. The Department recommends that groundwater from these wells be sampled and analyzed for PCBs using detection limits lower than 0.014 ppb.

The Department is concerned about the potential release of contaminants and the effects on natural resources which may be subject to Indian trust obligations. Consequently, the Bureau of Indian affairs should be kept informed throughout the remedial process.

To date no known impacts to the Department of the Interior's trust resources are known to have occurred as a result of contamination at this site. However, the Department is concerned that contamination from the site may potentially impact trust resources (migratory birds and endangered species) through ingestion of contaminated water, habitat degradation, and consumption of contaminated prey items, in the Spokane River.

Consequently, the Department could not consider agreeing to a covenant not to sue for natural resources damage claims at this time. However, should further remedial actions ensure that contaminants from the site are not affecting our trust resources and water quality data show no exceedances of the most current EPA fresh surface water quality criteria for PCBs in groundwater between the site and the Spokane River, we would be willing to reconsider our position.

The Department of the Interior contact for this site is the Regional Environmental Officer, in Portland, Oregon, Mr. Charles S. Polityka, 500 N.E. Multnomah Street, Suite 600, Portland, Oregon, 97232-2036, (503) 231-6157, who is also our Departmental Representative on the RRT. We urge EPA to consult regional officials of our Fish and Wildlife Service, Geological Survey, and Bureau of Indian Affairs in the development and approval of workplans, studies, data evaluations, and negotiations on remedial actions for the site.

Should your Regional Counsel or attorneys from the Department of Justice require our official legal position on a covenant not to sue, please contact our Acting Assistant Solicitor, Ms. Jill Fallon. She can be contacted at the following address: Office of the Solicitor, Division of Conservation and Wildlife, 1849 C Street, NW, Washington, DC 20240, (202) 208-4344.

Sincerely,

Jonathan P. Deason
Director
Office of Environmental Affairs

Attachments

ATTACHMENT A

Background and Technical Support Information
General Electric Company Superfund Site
Spokane, Spokane County, Washington

SITE HISTORY

The General Electric Company (Spokane Shop) Superfund Site is located on the northeast corner of the intersection of Havana and Mission Streets in Spokane, Spokane County, Washington. The Spokane River is located about 1200 feet north of the site.

From 1961 to 1980, the General Electric Company used the site for the repair, restoration, and steam cleaning of electric motors, transformers, switchgear, pumps, compressors and related equipment. Some of the equipment repaired and oils stored at the facility contained PCB compounds. The shop was closed in 1980. In 1984, all industrial activity at the site was halted.

Site investigations were initiated in 1985 by the Washington Department of Ecology (WDE). Between 1985 and 1989 three phases of the site investigation were completed. During these phases contaminants were detected in groundwater (0.0036 parts per million (ppm) PCB, trichloroethylene (TCE) 0.02 ppm), sludge (72 ppm PCB), subsurface soils (21,000 ppm PCB) and surface soils (27,000 ppm PCB, 371 ppm copper, 368 ppm lead, and 536 ppm zinc). The landfill was placed on the Environmental Protection Agency's National Priority List of hazardous waste sites for cleanup in 1989. Structures were removed from the site in 1990. Surface soils were removed and replaced with clean cobble, sand, and backfill.

Polychlorinated biphenyl compounds were not detected in soils from off-site wells installed in 1990 for the Phase V Remedial Investigation. Groundwater was sampled four times during this phase. On-site groundwater contained 0.0077 ppm PCB, 2.4 parts per billion (ppb) total xylenes, 2 ppb butylbenzylphthalate, 1 ppb diethylphthalate, and 2.6 ppb 1,2,3,5-tetrachlorobenzene. No PCBs or organic compounds were detected in groundwater from six off-site monitoring wells located between the site and the Spokane River.

At present, WDE is the lead agency for managing the site investigation and remediation.

SITE DESCRIPTION

The General Electric Company (Spokane Shop) Superfund Site is located on the northeast corner of the intersection of Havana and Mission Streets in Spokane, Spokane County, Washington. The

Spokane River is located about 1200 feet north of the site. The approximate five-acre site is bordered by industry to the south, east, and west. The Burlington Northern Railway forms the northern border of the site. The Spokane Community College is located approximately one-half-mile west of the site.

Land surface at the site is flat, with a general slope to the north of one to two percent. Land-surface altitudes in the vicinity of the site range from about 1950 to 1960 feet. The altitude of the site itself is about 1920. Land use around the site is heavy and light industrial and commercial.

The Spokane area has characteristics of both marine and continental climates. Winter temperatures range from 25 to 40 degrees Fahrenheit; summer temperatures usually range from 80 to 90 degrees Fahrenheit, but occasionally reach 100 degrees Fahrenheit. Precipitation averages about 17 inches per year, approximately 66 percent of which falls during the period October-March.

The site is graded and either paved or covered with gravel. On-site vegetation is sparse and consists of herbaceous weeds growing in the gravel. Most of the adjacent properties provide little habitat for wildlife, because they are covered with pavement or buildings. Knapweed dominates the grassland area located between the site and the Spokane River. The edge of the Spokane River is classified as a palustrine broadleaf scrub-shrub seasonally flooded wetland.

Hydrology

Surface water, except for ponded water following heavy rainfalls, is not found in or near the General Electric site. The major surface water feature in the vicinity of the site is the Spokane River, which is less than a quarter-mile north. Surface runoff generally flows toward the river.

Previous hydrogeologic investigations indicate that the General Electric site is situated over the highly productive and extensively used Spokane aquifer, which has been designated a sole-source aquifer. In the area of the site, the aquifer consists of coarse, well-graded glacial sands and gravels that extend from land surface to a depth of about 300 feet, with no apparent confining units. Recharge is by the infiltration of precipitation and of surface runoff from adjacent areas, and by the lateral inflow of groundwater. The hydraulic conductivity of the aquifer in the area of the site is about 2600 feet/day; groundwater flow is to the west and northwest, at an estimated velocity of more than 20 feet/day.

TRUST RESOURCES

Threatened and Endangered Species

Enclosed is a list of proposed and listed threatened and endangered species, and candidate species, that may be present within the area of the Superfund site (Attachment C, FWS Reference 1-3-92-SP-653). The Fish and Wildlife Service (Service) is providing this list pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (Act). We are providing a document which explains your requirements for compliance with the act (Attachment D).

Occasional wintering bald eagles may occur near the site. Bald eagles are classified as threatened under the Act. The Spokane River provides habitat for the bald eagle and may provide habitat for the following candidate species: harlequin duck, bulltrout, Columbia pebble snail, and California floater, which is a freshwater mussel.

Candidate species are included simply as advance notice to federal agencies of species which may be proposed and listed in the future. However, protection provided to candidate species now may preclude possible listing in the future. If evaluation of the project indicates that it is likely to adversely impact a candidate species, the Environmental Protection Agency may wish to request technical assistance from the Endangered Species Program of the Olympia Field Office ((206) 754-9440).

Migratory Birds

Wildlife observed on or near the site included an osprey and swallows. On-site conditions provide little or no habitat value for wildlife. Grassland and wetland habitats near the site are typically used by migratory birds, such as those listed above, and seed eating species such as the American gold finch, chipping sparrow, and white-crowned sparrow. Raptors such as the red-tailed hawk and northern harrier may forage for small rodents such as the deer mouse in the grassland habitat north of the site. Osprey forage and may nest in the Spokane River north of the site.

REFERENCES

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Washington Department of Ecology. 1990. General Electric, fact sheet, June 1990. Department of Ecology, Eastern Regional Office, North Spokane, Washington.

ATTACHMENT A

LISTED AND PROPOSED ENDANGERED AND THREATENED SPECIES AND CANDIDATE SPECIES WHICH MAY OCCUR WITHIN THE VICINITY OF THE GENERAL ELECTRIC COMPANY (SPOKANE SHOP) SUPERFUND SITE

1-3-92-SP-653

LISTED

Wintering bald eagles (Haliaeetus leucocephalus) may occur in the vicinity of the site.

PROPOSED

None.

CANDIDATE

Candidate species which may occur in the Spokane River include:

Bull trout (Salvelinus confluentus).
California floater (Anodonta californiensis) - a mussel.
Columbia pebble snail (Fluminicola columbianus)
Harlequin duck (Histrionicus histrionicus).

ATTACHMENT B

FEDERAL AGENCIES' RESPONSIBILITIES UNDER SECTIONS 7(a) AND 7(c) OF THE ENDANGERED SPECIES ACT OF 1973, AS AMENDED

SECTION 7(a) - Consultation/Conference

Requires: 1. Federal agencies to utilize their authorities to carry out programs to conserve endangered and threatened species;

2. Consultation with FWS when a federal action may affect a listed endangered or threatened species to ensure that any action authorized, funded, or carried out by a federal agency is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat. The process is initiated by the federal agency after it has determined if its action may affect (adversely or beneficially) a listed species; and

3. Conference with FWS when a federal action is likely to jeopardize the continued existence of a proposed species or result in destruction or an adverse modification of proposed critical habitat.

SECTION 7(c) - Biological Assessment for Construction Projects *

Requires federal agencies or their designees to prepare a Biological Assessment (BA) for construction projects only. The purpose of the BA is to identify any proposed and/or listed species which is/are likely to be affected by a construction project. The process is initiated by a federal agency in requesting a list of proposed and listed threatened and endangered species (list attached). The BA should be completed within 180 days after its initiation (or within such a time period as is mutually agreeable). If the BA is not initiated within 90 days of receipt of the species list, please verify the accuracy of the list with our Service. No irreversible commitment of resources is to be made during the BA process which would result in violation of the requirements under Section 7(a) of the Act. Planning, design, and administrative actions may be taken; however, no construction may begin.

To complete the BA, your agency or its designee should: (1) conduct an onsite inspection of the area to be affected by the proposal, which may include a detailed survey of the area to determine if the species is present and whether suitable habitat exists for either expanding the existing population or potential reintroduction of the species; (2) review literature and scientific data to determine species distribution, habitat needs, and other biological requirements; (3) interview experts including those within the FWS, National Marine Fisheries Service, state conservation department, universities, and others who may have data not yet published in scientific literature; (4) review and analyze the effects of the proposal on the species in terms of individuals and populations, including consideration of cumulative effects of the proposal on the species and its habitat; (5) analyze alternative actions that may provide conservation measures; and (6) prepare a report documenting the results, including a discussion of study methods used, any problems encountered, and other relevant information. Upon completion, the report should be forwarded to our Endangered Species Division, 3704 Griffin Lane SE, Suite 102, Olympia, WA 98501-2192.

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* "Construction project" means any major federal action which significantly affects the quality of the human environment (requiring an EIS), designed primarily to result in the building or erection of human-made structures such as dams, buildings, roads, pipelines, channels, and the like. This includes federal action such as permits, grants, licenses, or other forms of federal authorization or approval which may result in construction.